



TPM
Dkt. 68883/RSM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Joel THOMSON

Serial No. : 10/764,760 Examiner : J. Leyson

Filed : January 26, 2004 Art Unit : 1791

For : DEVICES AND METHODS FOR MAXIMIZING PURGE
EFFECTIVENESS FOR MOLDING MACHINES

1185 Avenue of the Americas
New York, New York 10036
January 24, 2008

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SIR:

**COMMUNICATION IN RESPONSE
TO A DECEMBER 28, 2007 OFFICE ACTION**

This Communication is submitted in response to the December 28, 2007 Office Action which was issued in connection with the above-identified application. A response to the Office Action is due January 28, 2008. Accordingly, this Communication is being submitted timely.

The Office Action requires an election under 35 U.S.C. § 121 to one of the following alleged inventions:

Invention I - Claims 1-16, drawn to an apparatus, classified in class 425, subclass 574;

Invention II- Claims 17 and 18, drawn to a method of operating an apparatus, classified in class 264, subclass 211.21;

or

Applicant: Joel THOMSON
Serial No. 10/764,760
Filed: January 26, 2004
Page 2

Invention III- Claims 19-21, drawn to a method of cleaning an apparatus, classified in class 264, subclass 39.

The Office Action states that: (1) Inventions I and II are related as process and apparatus for its practice; (2) Inventions I and III are related as process and apparatus for its practice; and (3) Inventions II and III are directed to related processes involving screw machinery. More specifically, the Office Action states, respectively, that: (1) the apparatus can also be used for a different process wherein the check valve is switched by electrical control means instead of screw movements; (2) the apparatus can also be used for a non-cleaning process wherein the check valve is used to control the flow of injection molding material instead of only a cleaning process; and (3) the recited method of Invention II changes flow direction whereas the recited method of Invention III displaces materials with a cleaning compound and thus can have a materially different design, mode, operation, function, or effect. The Office Action concludes that because of these possibilities the Inventions are distinct and require different fields of search which would be a serious burden on the Examiner.

In response to this election requirement, applicant hereby elects to prosecute alleged separate Invention I, that is, claims 1-16.

In view of the remarks above, applicant respectfully submits that this Communication responding to the restriction requirement is complete.

Applicant: Joel THOMSON
Serial No. 10/764,760
Filed: January 26, 2004
Page 3

Applicant looks forward to a favorable action on the merits.

If a telephone conference would be of assistance in advancing prosecution of the subject application, applicant's undersigned attorney invites the Examiner to telephone him at the number provided.

No fees are deemed necessary in connection with the filing of this Communication. However, if any fees are required, authorization is hereby given to charge the amount of any such fees to Deposit Account No. 03-3125.

Respectfully submitted,



Richard S. Milner
Registration No. 33,970
Attorney for Applicant
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

I hereby certify that this paper is being deposited this date with the U.S. Postal Service as first class mail addressed to:
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450


Richard S. Milner
Reg. No. 33,970

26 January 2008
Date